

battery power when the AC power is interrupted. The claimed apparatus also includes a charging circuit for charging its battery. The Crisp reference relates to a battery charger that can charge different kinds of batteries. Aside from the fact that both the claimed invention and Crisp include a battery charger, they have very little in common, and operate in diverse manners.

In particular, Crisp's device does not include an internal battery. Its output connects to a battery to charge the battery, but the battery is not part of Crisp's charger. Hence, Crisp does not disclose claim 1's recited line for supplying a voltage to a DC output circuit via a DC-DC conversion circuit for increasing and decreasing a voltage from a battery. Crisp cannot disclose this recited line or circuit configuration, because it does not have an internal battery. Referring now to Fig. 1 of the present application, the DC-DC conversion circuit 16 is for changing the level of a voltage coming from the battery 14. Crisp does not teach any device that changes the voltage level coming *from* a battery. Crisp relates to a battery charger to provide a charge to a battery, and so teaches controlling the voltage level going *to* the battery under charge (via its buck and boost converters shown in Fig. 6 of Crisp). As such, Crisp does not condition voltage coming *from* a battery, as claimed.

At paragraph 5 of the latest Office Action, it is contended that Crisp teaches the recited line for supplying a voltage to a DC output circuit via a DC-DC conversion circuit for increasing and decreasing a voltage from a battery, because voltage stored in the capacitors of Crisp's boost and buck converters, "which act as batteries", is increased or decreased. In other words, the Examiner is equating the capacitors of Crisp's boost and buck converters with the claimed battery. The Examiner is incorrect for several reasons. Firstly, capacitors are not batteries. One skilled in the art at the time the invention was made would certainly know this, and could tell the difference between a capacitor and a battery. The Examiner is improperly ignoring the plain

meaning of the term “battery,” giving the term an unreasonably broad interpretation. The term “battery” should be given its plain meaning, which does not include the capacitors shown in the boost and buck converters of Crisp.

Secondly, the capacitors of Crisp’s boost and buck circuits do not act as batteries, as contended in the Office Action. Those skilled in the art would agree that a battery can store power for some length of time without refresh. Crisp’s capacitors do not have this capability. For example, at col. 11:26-28, Crisp teaches that its capacitors require the conduction of transistors Q1’ and Q10’ to maintain their desired voltage. Moreover, Crisp describes its capacitors’ job as helping supply the currents required by the boost circuit when its transistors are turned on (Crisp at col. 11:11-13) and improving ripple current capability and keeping internal temperatures low (Crisp at col. 11:62-66). These functions are not performed by batteries. Thus, Crisp’s capacitors are not taught to be acting as batteries.

The Examiner has no factual or logical basis whatsoever for contending that a reference that shows a capacitor shows a battery. In order to make out a *prima facie* case of anticipation for claim 1, the Examiner must cite a reference which teaches using a battery as recited in claim 1. Citing a reference, such as Crisp, that has capacitors but no such battery is not sufficient.

Because Crisp does not disclose the claimed battery, and indeed has no internal battery, it cannot disclose or suggest the claimed line for supplying a voltage to a DC output circuit via a DC-DC conversion circuit for increasing and decreasing a voltage from a battery. Furthermore, Crisp cannot disclose or suggest the claimed battery switch circuit (15), shown in Fig. 1 of the present application, for supplying the DC voltage converted by the AC-DC conversion circuit (11) to the battery (14) via a charging circuit (13) and for controlling contact and separation of the battery (14) and a DC-DC conversion circuit (16). The recited battery is limited by the claim

language to be the same battery for both claim terms; i.e., battery (14). Therefore, even assuming, *arguendo*, that Crisp discloses the claimed battery switch circuit, it cannot disclose the claimed line for supplying a voltage to a DC output circuit via a DC-DC conversion circuit for increasing and decreasing a voltage from the battery, and vice versa. For the Examiner to read the claim term “battery (14)” to be two separate unrelated batteries would be improper, since it would be ignoring the plain language of the claim.

Crisp does not anticipate independent claim 1, because it does not disclose each and every element of that claim. In particular, Crisp does not disclose or suggest claim 1’s recited line for supplying voltage via a DC-DC conversion circuit, or battery switch circuit. Moreover, it would not have been obvious to modify Crisp to add these features.

Consequently, independent claim 1 is patentable, as are claims 2 and 3, which depend from claim 1.

Regarding the obviousness rejection of claim 4 based on Crisp and Mattsson, the Mattsson reference does not furnish the elements of claim 1, from which claim 4 depends, missing from Crisp. Therefore, any combination of Crisp and Mattsson, however made, would be missing the recited line for supplying voltage via a DC-DC conversion circuit and battery switch circuit, and it would not have been obvious to add these features to any Crisp/Mattsson combination.

Consequently, claim 4 is patentable.

Accordingly, it is believed that all pending claims are now in condition for allowance. Applicants therefore respectfully request an early and favorable reconsideration and allowance of this application. If there are any outstanding issues which might be resolved by an interview or an Examiner's amendment, the Examiner is invited to call Applicants' representative at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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